



North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

Division of Marine Fisheries

Dr. Louis B. Daniel III, Director

MEMORANDUM:

TO: Melba McGee, Environmental Coordinator

THROUGH: Anne Deaton, Chief Habitat Section *AD*

FROM: Sara E. Winslow, Northern District Manager *SEW*

SUBJECT: TIP Project U-4438 – US 158 – East Elizabeth Street from Road Street to Eastside of Pasquotank River

DATE: July 13, 2009



The North Carolina Division of Marine Fisheries has reviewed the EA for TIP project U-4438 and submits the following comments pursuant to General Statute 113-131.

The Division in previous correspondence indicated the importance of Pasquotank River as a spawning and nursery area for blueback herring and alewife. The system is also used by resident and estuarine dependent species as a nursery area.

The EA indicates that NCDOT will coordinate with WRC to establish an in-channel anadromous fish moratorium. The Division does not know what an "in-channel" moratorium is referring to. Also, the Division requests that the in-water moratorium be February 15 through June 30. This will ensure that the environmental integrity of the area is protected during critical times of usage by the various species. The additional 15 days can be quite critical for late spawning river herring and the development of larvae to juvenile stage.

The Division appreciates the opportunity to review and submit comments relative to the project.